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Perlegen Sciences, Inc.  
2021 Stierlin Court  
Mountain View, CA 94043  
650.625.4562

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**Date:** March 17, 2005

**Firm:** USPTO – MAIL STOP AF

**From:** Barbara deRuyter.

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**Fax:** 703 872-9306

**Tel:** 571 272-0789

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NUMBER OF PAGES INCLUDING THIS COVER: 17

Certification of Facsimile Transmission

Perlegen's Docket No.: 200/1004-20

Re: Applicant: PERLEGEN SCIENCES, INC.  
Application No.: 09/938,878  
Inventor(s): Patil, *et al.*  
Art Unit: 1634  
Examiner: Jeffrey N. Fredman

The following documents are enclosed:

1. Transmittal
2. Status Request Letter
3. Copies of Certificate of Facsimile Transmission, RCE Transmittal, Fee Transmittal, Request for Continued Examination, and Facsimile Log

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MAR 17 2005

PTO/SB/21 (02-04)


Approved for use through 07/31/2006. OMB 0651-0031

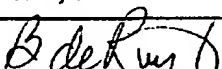
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/938,878	
	Filing Date	August 24, 2001	
	First Named Inventor	Nila Patil	
	Art Unit	1634	
	Examiner Name	Jeffrey N. Fredman	
Total Number of Pages in This Submission	16	Attorney Docket Number	100/1004-20

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input checked="" type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copies of:
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Certificate of Facsimile Transmission
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	(Please see Remarks below)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	RCE Transmittal Fee Transmittal Request for Continued Examination Facsimile Log	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Deana A. Arnold, Ph.D. (Registration No. 52,567)
Signature	
Date	March 17, 2005

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Barbara deRuyter
Signature	
Date	March 17, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. 200/1004-20

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Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

March 17, 2005

By

Barbara deRuyter

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Patil, *et al.*

Application No.: 09/938,878

Filed: August 24, 2001

For: Methods for reducing complexity of  
nucleic acid samples

Examiner: Jeffrey N. Fredman

Art Unit: 1634

STATUS REQUEST LETTER

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On June 2, 2004, Applicants submitted a Request for Continued Examination for  
this application along with the fee set forth in 37 CFR 1.17(e). Copies of the Certificate of  
Facsimile, the RCE Transmittal, the Fee transmittal, the Request for Continued Examination, and

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Attorney Docket No. 200/1004-20

our facsimile log verifying that the transmittal was successful are enclosed for your reference.

We have not received any further communication from the Patent Office regarding this application. Therefore, Applicants respectfully request an update of the status of this application.

Respectfully submitted,



Deana A. Arnold, Ph.D.  
Reg. No. 52,567

Date March 17, 2005

PERLEGEN SCIENCES, INC.  
2021 Stierlin Court  
Palo Alto, CA 94304  
Ph: (650) 625-4603  
Fax: (650) 625-4574

DA:bder

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MAR 17 2005



Perlegen Sciences, Inc.  
2021 Stierlin Court  
Mountain View, CA 94043  
650.625.4562

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**Date:** June 2, 2004

**Firm:** USPTO

**From:** Paulette D. Isler

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**Fax:** 571.273.0742

**Tel:** 571.272.0742

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NUMBER OF PAGES INCLUDING THIS COVER: 12

Certification of Facsimile Transmission

Perlegen's Docket No.:200/1004-21

Re:

Applicant: PERLEGEN SCIENCES, INC.  
Application No.: 09/938,878  
Inventor(s): Patil, et al.  
Due Date: 03 June 2004

Enclosed, please find the following documents:

1. Request for Continued Examination (RCE) Transmittal
2. Fee Transmittal for FY 2004
3. Request for Continued Examination (9 pages)

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MAR 17 2005

PTO/SB/30 (09-03)

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Request  
for  
Continued Examination (RCE)  
TransmittalAddress to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/938,878
Filing Date	24 August 2001
First Named Inventor	Patil, Nila
Art Unit	1634
Examiner Name	Fredman, Jeffrey N.
Attorney Docket Number	200/1004-21

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-2043
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Deana A. Arnold, Ph.D.	Registration No. (Attorney/Agent)	52,567
Signature	<i>Deana A. Arnold</i>	Date	June 2, 2004

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Name (Print/Type)	Paulette D. Isler	Date	6/2/04
Signature	<i>Paulette D. Isler</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HP Fax K1220xi

Log for

Jun 02 2004 3:16pm

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Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Jun 2	3:09pm	Fax Sent	915712730742	6:53	12	OK

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 770.00**Complete if Known**

Application Number	09/938,878
Filing Date	24 August 2001
First Named Inventor	Patil, Nila
Examiner Name	Fredman, Jeffrey N.
Art Unit	1634
Attorney Docket No.	200/1004-21

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 50-2043

Deposit Account Name: Perlegen Sciences, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b> (\$)			

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims:  -20\*\* =  X  =

Independent Claims:  -3\*\* =  X  =

Multiple Dependent:  =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b> (\$)			

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	770.00
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 770.00**SUBMITTED BY**

Name (Print/Type)	Deana A. Arnold, Ph.D.	Registration No. (Attorney/Agent)	52,567	Telephone	650.625.4603
Signature		Date	June 2, 2004		

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PERLEGEN SCIENCES, INC.

By: 

Paulette D. Isler

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/938,878  
Applicant : Patil, et al.  
Filed : August 24, 2001  
TC/A.U. : 1634  
Examiner : Fredman, Jeffrey N.

Confirmation No. 2515

Docket No. : 200/1004-20  
Customer No. : 31,662

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST FOR CONTINUED EXAMINATION


Sir:

Applicant's respectfully request reconsideration of the above-identified application. In accordance with 37 CFR §1.114, Applicants herein provide a claim set to serve as the required submission. Further, authorization to charge the appropriate fee set forth in § 1.17(e) to the undersigned's deposit account is submitted herewith. Applicants believe that no excess claims fees are due since these fees were previously paid for in the above-identified application. Please charge any additional fees or credit any overpayment to Deposit Account No. 50-2043.

Appl. No.: 09/938,87  
Amdt. dated June 2, 2004

**Listing of Claims** begins on page 3 of this paper.

Respectfully submitted,

by:   
Deana A. Arnold  
Reg. No. 52,567

Perlegen Sciences, Inc.  
2021 Stierlin Court  
Mountain View, CA 94043  
(650) 625-4603